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Attorney for Defendant:  
FAJARDO-HERNANDEZ

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
(HONORABLE MARILYN L. HUFF)

UNITED STATES OF AMERICA,	) Case No.: 3:07-cr-02973-H
	)
Plaintiff,	) <b>NOTICE OF MOTION AND MOTION TO</b>
	) <b>DISMISS INDICTMENT</b>
vs.	)
	)
JUAN CARLOS FAJARDO-HERNANDEZ,	) DATE: April 21, 2008
	) TIME: 2:00 p.m.
Defendant.	)
	)

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TO: KAREN P. HEWITT, UNITED STATES ATTORNEY AND PAUL L. STARITA,  
ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on April 21, 2008, at 2:00 p.m., or as soon thereafter as  
counsel may be heard, the defendant, Juan Carlos FAJARDO-HERNANDEZ ("Mr. Fajardo-  
Hernandez"), by and through his counsel, John R. Fielding, Jr., will and hereby does ask this  
Court to enter an order granting the motion listed below.

MOTION

Mr. Fajardo-Hernandez, pursuant to United States Constitution and all other applicable  
statutes, case law and local rules, hereby moves this Court for an order to:

1 (1) DISMISS THE INDICTMENT

2 This motion is based upon the instant motion and notice of motions, the attached  
3 memorandum of points and authorities, and any and all other materials that may come to this  
4 Court's attention at the time of the hearing on this motion.  
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7 Dated: April 14, 2008

Respectfully submitted,

8 /s/ John Fielding

9 John R. Fielding, Jr.  
10 Attorney for Defendant  
11 jfieldingattyatlaw@yahoo.com  
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